

UNITED STATES COURT OF APPEALS

October 16, 2009

FOR THE TENTH CIRCUIT

Elisabeth A. Shumaker
Clerk of Court

CLOVIS CARL GREEN, JR.,

Plaintiff - Appellant,

v.

EXECUTIVE DIRECTOR OF THE
COLORADO DEPARTMENT OF
CORRECTIONS,

Defendant - Appellee.

No. 09-1394

(D.C. No. 1:09-CV-01985-ZLW)

ORDER

Appellant has failed respond to the court's September 10, 2009 order to show cause why this appeal should not be dismissed for failure to pay the filing fee or why the provisions of the Prison Litigation Reform Act do not apply to this proceeding.

Accordingly, this appeal is dismissed. See 10th Cir. R.3.3 (B) and 10th Cir. R. 42.1. A copy of this order shall serve as the mandate of the court.

Entered for the Court,



ELISABETH A. SHUMAKER, Clerk